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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,

No. CR 05-0324 MMC

12 Plaintiff,

**ORDER VACATING SEPTEMBER 16,  
2009 MOTION HEARING DATE;  
DIRECTIONS TO PARTIES**

13 v.

14 DENNIS CYRUS, JR.,

15 Defendant  
\_\_\_\_\_ /

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17 Before the Court is defendant Dennis Cyrus, Jr.'s "Request to Vacate September 16,  
18 2009 Motion Hearings; Status Report," filed September 14, 2009, in which defendant states  
19 the parties will in the near future enter into a stipulation with respect to a new motion  
20 hearing date and a new sentencing date.

21 Accordingly:

- 22 1. The September 16, 2009 motion hearing date is hereby VACATED; and  
23 2. The parties are DIRECTED to file, no later than September 25, 2009, the above-  
24 referenced stipulation.

25 **IT IS SO ORDERED.**

26 Dated: September 15, 2009  
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MAXINE M. CHESNEY  
United States District Judge